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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

In re:

USA Commercial Mortgage Company,

Debtor.

Chapter 11

Case No.: 06-10725-GWZ

**Supplement To Motion To Approve Final  
Distribution To Creditors; Abandonment  
Of Assets; And Discharge Of Liquidating  
Trustee**

Date: March 22, 2016

Time: 2:00 p.m.

Place: Courtroom #1, Fifth Floor,  
Clifton Young Courthouse, 300 Booth St.

This filing supplements the Motion To Approve Final Distribution To Creditors;  
Abandonment Of Assets; And Discharge Of Liquidating Trustee [ECF No. 9969] filed by the  
USACM Liquidating Trust (the "Trust").

**1. Assignment of Judgments**

The Trust has reached agreement with USA Capital Diversified Trust Deed Fund, LLC  
("DTDF") to acquire the Trust's interest in the Hantges life insurance policies, and the Hantges,  
Reale and other judgments in consideration of a nominal payment of \$4,500, which nets the non-  
DTDF beneficiaries about \$1,500. The Trust received no other offers for any of the judgments.  
DTDF is comprised of lenders/investors, and accordingly this is the least expensive way to  
potentially retain the value of the judgments for victims of the victims of the USACM scam. The

1 assignments will be documented by the Trust and DTDF if the Court approves this portion of the  
2 Motion.

3 **2. Cash.**

4 DTDF, the Trust and Diamond McCarthy tried up the accounting for transactions that  
5 occurred during the Trust's existence, resulting in additional payments to DTDF. DTDF has  
6 signed off on the Trust's final accounting. As a result, the Trust's outstanding cash balance is  
7 \$1,865,518.91, and this amount less the \$50,000 reserve will be distributed to Trust beneficiaries  
8 if the Court approves the Motion.

9 **3. Proposed Order**

10 The proposed Order attached as Exhibit 1 to this Supplement has been reviewed with  
11 DTDF and is offered for consideration by the Court and the Office of the United States Trustee.

12 DATED this 18th day of March, 2016.

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**CERTIFICATE OF SERVICE**

1. On March 18, 2016, I served the following documents:

**Supplement To Motion To Approve Final Distribution To Creditors; Abandonment Of Assets; And Discharge Of Liquidating Trustee**

2. I served the above-named document by the following means to the persons as listed below:  
(*Check all that apply*)

☒ **a. ECF System** (*You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary*)

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☐ **b. United States mail, postage fully prepaid**  
*(List persons and addresses. Attach additional paper if necessary)*

☐ **c. Personal Service** *(List persons and addresses. Attach additional paper if necessary)*  
I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the document(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the document(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place or abode with someone of suitable age and discretion residing there.

☐ **d. By direct email (as opposed to through the ECF System)***(List persons and email addresses. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by email or a court order, I caused the document(s) to be sent to the persons at the email addresses listed below. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

☐ **e. By fax transmission** *(List persons and fax numbers. Attach additional paper if necessary)*

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ **f. By messenger** *(List persons and addresses. Attach additional paper if necessary)*

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. *(A declaration by the messenger must be attached to this Certificate of Service).*

I declare under penalty of perjury that the foregoing is true and correct.

Signed on March 18, 2016

Renee L. Creswell  
(NAME OF DECLARANT)

Renee L. Creswell  
(SIGNATURE OF DECLARANT)

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